

## **EXHIBIT D**

# BINGHAM

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November 17, 2011

**Via Email**

Robert H. Reckers  
Shook, Hardy & Bacon LLP  
JPMorgan Chase Tower  
600 Travis Street, Suite 1600  
Houston, TX 77002

**Re: *Oracle USA, Inc. et al. v. Rimini Street, Inc. and Seth Ravin***  
**No. 2:10-cv-0106-LRH-PAL: Objections to Defendants' Third**  
**Rule 30(b)(6) Deposition Notice**

Dear Rob:

I write concerning Defendants' third notice of a Rule 30(b)(6) deposition of Oracle, dated November 4, 2011 (the "Third Notice").

Oracle anticipates serving objections to the Third Notice and meeting and conferring with Defendants concerning the scope of the notice and its topics. Before doing so, we write to confirm our understanding that Defendants' Third Notice has replaced Defendants' September 28, 2011 Rule 30(b)(6) deposition notice (the "Second Notice"). On October 11, 2011, Oracle sent Defendants a letter objecting to the Second Notice and requested that Defendants meet and confer about it.

Subsequently, you stated that Defendants would serve a more focused 30(b)(6) deposition notice in response to our objections to the Second Notice. Without agreeing that the Third Notice is adequately focused, we note that some of the topics in the Third Notice overlap with the topics that were in the Second Notice, indicating that the Third Notice has replaced the Second Notice. If Oracle has misunderstood Defendants' intentions, please let us know at your soonest possible convenience.

Sincerely yours,

Thomas S. Hixson

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